

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Agriculture Dept. – Disciplinary proceedings initiated against Sri M.R.A. Baig, Agriculture Extension Officer(now retired) for absconding from duty without any leave application in different spells during the years 1986 to 2002 – Imposing of Penalty 1% cut in pension for one year – Final orders – Issued.

AGRICULTURE AND COOPERATION (VIG.I) DEPARTMENT

G.O.Rt.No. 536

Dated:26-04-2010.

Read the following:-

1. Charge Memo No.A3/2861/97, dt.18-4-1999 of JDA, Sangareddy.
2. From Sri M.R.A.Baig, A.E.O., Written statement of defence, dt.09-07-1996.
3. Memo No.A3/2861/1997, dt.28-08-2001 of JDA, Sangareddy.
4. From DDA(Agro.) & I.O., O/o JDA, Sangareddy, Inquiry Report dt.25-01-2002.
5. Procs.No.A3/2861/1997, dt.4-8-2007 of JDA, Sangareddy.
6. From C&DA, Hyd. Lr.No.A5(1)1254/2006, dt.21-10-2008.
7. Govt.Memo No.14402/Vig.I(2)/2008-3,dt.21-08-2009.
8. Govt.Memo No.14402/Vig.I(2)/2008-4,dt.21-08-2009.
9. From Sri M.R.A. Baig, AEO (Retd) repn., dt. 6-10-2009.
- 10.Govt. D.O.Lr.No.14402/Vig.I(2)/2008, Dated: 12-4-2010 addressed to APPSC.
11. From the Secy., APPSC, Hyd. Lr.479/RT.I/1/2010, Dated: 22.4.2010.

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ORDER:-

In the reference 1st read above, the Joint Director of Agriculture, Sangareddy, being the competent authority, had initiated disciplinary proceedings by framing article of charges against Sri M.R.A. Baig, Agriculture Extension Officer for absconding from duty without any leave. In the ref. 2nd read above, the Charged Officer has submitted his written statement of defence. In the reference 3rd read above, the Joint Director of Agriculture, Sangareddy had appointed the Dy. Director of Agriculture (Agro), Office of the Joint Director of Agriculture, Sangareddy as Inquiry Officer to conduct the departmental inquiry into the charges framed against the Charged Officer. In the reference 4th read above, the Dy. Director of Agriculture (Agro), office of the Joint Director of Agriculture, Sangareddy who is enquiry officer in this case has submitted his inquiry report concluding that the charges are held proved against Sri M.R.A.Baig, Agriculture Extension Officer,(Retired). The Joint Director of Agriculture, Sangareddy concluded the disciplinary proceedings and awarded a penalty of 'Censure' against Sri M.R.A.Baig, Agriculture Extension Officer (Retired) vide reference 5th read above.

2. Subsequently the Commissioner & Director of Agriculture, Hyderabad, in the reference 6th read above, has requested the Government to ratify the action of Joint Director of Agriculture, Sangareddy in having imposed a penalty of 'Censure' against Sri M.R.A.Baig, Agriculture Extension Officer, after his retirement and also requested to regularize the period of absence the individual w.e.f. 1.9.1996 to 8.10.2001 and from 12-9-2002 to 30-12-2002.

3. After careful examination of the matter with reference to the record of inquiry, Government have observed that Sri M.R.A.Baig, Agriculture Extension Officer retired from service on 31-12-2005. The Joint Director of Agriculture, Sangareddy was not competent authority to conclude the disciplinary proceedings against a retired employee and Government is the competent authority to conclude the disciplinary proceedings against a retired employees under Rule 9 of A.P.Revised Pension Rules, 1980. As such, Government had also decided to impose a penalty of 1% cut in pension for 1 year against Sri M.R.A.Baig, Agriculture Extension Officer (Retired) in the above disciplinary case. In the reference 7th read above, accordingly, the Government has set aside the orders issued by the Joint Director of Agriculture, Sangareddy i.e. awarding of penalty of Censure against Sri M.R.A.Baig, Agriculture Extension Officer (Retired) by taking a review under Rule 41 of A.P.C.S.(CCA) Rules, 1991. In the reference 8th read above, a show cause notice was issued for proposing a penalty of 1% cut in pension for One year against Sri M.R.A.Baig, Agriculture Extension Officer (Retired) in the above disciplinary case.

(PTO)

4. In the reference 9th cited, Sri M.R.A.Baig, AEO (Retd), in his explanation has stated that he was never absent from his legitimate duties as per his wish and without any intimation and he has submitted his pleas several times that he was a patient of diabetic and kidney and his wife is also chronic patient of Asthama and other problems. Besides this his wife's ill health created many frequent problems in his personal life along with his service and intentionally he was not absent to duty. As a layman he could not present his case before the Inquiry Officer properly. He has further stated that he retired from service on 31-12-2005 till that day his pension and other benefits were not sanctioned and he is facing lot of problems and could not get proper treatment or medicines and requested to consider his explanation on humanitarian grounds and cancel/set aside all the disciplinary actions and punishments and sanction the pension and all the benefits at the earliest.

5 In the reference 10th read above, the APPSC was consulted on the proposed punishment of 1% cut in pension for one year. In the letter 11th read above, the APSSC agreed with the proposal of the Government to impose a punishment of 1% cut in pension for one year against Sri M.R.A.Baig, Agriculture Extension Officer (Retd).

6. The Government after careful examination taking into consideration of the facts and circumstances of the case and explanation of the charged officer has decided and hereby ordered to impose a penalty of 1% cut in pension for 1 year against Sri M.R.A.Baig, Agriculture Extension Officer (Retired) for the unauthorised absence case under Rule 9 of A.P. Revised Pension Rules, 1980 besides treating the period of absence from 1.9.1996 to 8.10.2001 and from 12-9-2002 to 30-12-2002 as leave to which he is eligible.

7. The Commissioner & Director of Agriculture, Hyderabad shall take necessary action in the matter. The records and S.Rs (two vol) of the individual are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RACHEL CHATTERJEE
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
Sri M.R.A.Baig, Agriculture Extension Officer (Retired)
(Through: The Commissioner & Director of Agriculture, Hyderabad)
Copy to:-
The Commissioner & Director of Agriculture, A.P., Hyderabad.(wes).
The Secretary, APPSC, M.J. Road, Hyderabad.
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// FORWARDED :: BY ORDER //

SECTION OFFICER